

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	No. 03 C 3904
v.)	
)	Judge Robert W. Gettleman
KEVIN TRUDEAU,)	
)	
Defendant.)	

ORDER

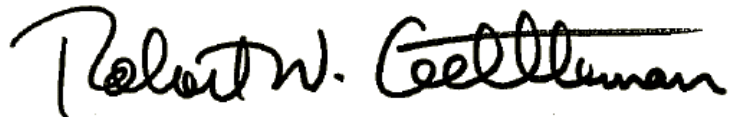
For the reasons stated in open court this date and previously, the court finds that defendant Trudeau is in contempt of this court's previous orders to pay \$37.6 million to the plaintiff Federal Trade Commission ("FTC") and to fully disclose his assets. The evidence presented by the Receiver and the FTC has demonstrated that Trudeau has continued to conceal assets and transfer to third parties funds that should have been paid to the FTC.

In addition, the court finds that's defendant Kevin Trudeau has lied to the court in representing that he has disclosed all of his assets and disbursements. The court has previously incarcerated defendant Trudeau to coerce compliance with its orders, but released him so that he could defend himself in the criminal case that was pending against him, United States v. Kevin Trudeau, No. 10 CR 886. The court notes that on November 12, 2013, Trudeau was convicted in that case and is currently incarcerated pending post-trial motions and sentencing. Nevertheless, this court retains the power to incarcerate defendant Trudeau as a sanction to coerce compliance with its orders. Such coercive incarceration is independent of any term of incarceration resulting from defendant Trudeau's criminal conviction. See United States v. Quinn, 2013 WL 3811651 (N.D. Ill. July 19, 2013) (Shadur, J.), and cases cited therein.

For these reasons, the court orders Trudeau to be incarcerated in this action to coerce his compliance with the court's orders to pay the \$37.6 million to the Federal Trade Commission and to fully disclose his assets as previous directed. Pursuant to 18 U.S.C. § 3585(b), the time spent in custody from the date this order is entered until defendant Trudeau purges himself of the contempt is time spent in official detention for the contempt and not for any other charge or offense. Defendant Trudeau shall not receive credit, in any sentence in any criminal proceeding for any time served in custody for contempt of this court's orders. The incarceration for civil contempt shall begin upon entry of this order, and shall remain in effect until further ordered by this court.

SO ORDERED

ENTER: November 21, 2013

A handwritten signature in black ink, reading "Robert W. Gettleman". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Robert W. Gettleman
United States District Judge